

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Margaret Mechelle Ervin,

Plaintiff,

v.

Nancy A. Berryhill, Acting Commissioner
of Social Security,

Defendant.

C/A No.: 4:16-cv-03318-RBH

ORDER

On February 2, 2018, Plaintiff filed a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. In the motion, Plaintiff requested attorney's fees in the amount of \$4,281.88 and expenses in the amount of \$16.00. On February 15, 2018, the parties filed a stipulation for an EAJA award of \$4,000.00 in attorney's fees and \$16.00 in expenses.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$4,000.00 in attorney's fees and \$16.00 in expenses pursuant to EAJA, subject to the Treasury Offset Program if the prevailing party owes a debt to the federal government. However, the payment shall be made payable to the claimant pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010) and mailed to his attorney, with a copy to the claimant.

IT IS SO ORDERED.

February 16, 2018
Florence, South Carolina

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge